

REGULAR CITY COUNCIL MEETING
NOVEMBER 24, 1997

PRESENT

Don Dafoe
Gayle Bunker
Robert Dekker
Dale Roper
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT

Robert Droubay
Richard Waddingham

Council Member
City Attorney

ALSO PRESENT

Dorothy Jeffery
Neil Forster
Alan Riding
Deb Greathouse
Greg Schafer
Kurt Crosby

City Recorder
Public Works Director
Asst. Public Works Director
City Librarian
City Employee
KNAK Radio

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Dafoe stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

An invocation was offered by Council Member Glen Swalberg, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

There were no minutes presented for approval. The City staff has been busy preparing for the City Christmas celebration.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review and discussion, Council Member Gayle Bunker MOVED

to approve the accounts payable, in the amount of \$55,155.34. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of unfinished business.

NEW BUSINESS

MAYOR DON DAFOE: BID AWARD - NEW VEHICLE FOR PUBLIC WORKS DEPARTMENT

Mayor Dafoe asked Public Works Director Neil Forster to inform the Council of the bid results. Public Works Director Forster advised the Council that Droubay Automotive Group was the only bidder on the pickup specifications. In reviewing the specifications for the vehicle, Rex Stanworth, Sales Manager for Droubay Chevrolet, presented a bid on two vehicles due to the fact that our specifications called for an 8,600 lb. gross vehicle weight. In order to fulfill the specification for the 8,600 GVW, it was necessary to prepare a bid for a heavy duty $\frac{3}{4}$ ton pickup with a full size box. In the process of bidding the pickup, Mr. Stanworth was also asked to bid the heaviest $\frac{3}{4}$ ton pickup available with a short box. The two bids came in at \$20,516.20 for the heavy duty $\frac{3}{4}$ ton long wheel base extended cab pickup and \$21,371.28 for the light duty, short bed $\frac{3}{4}$ ton pickup.

Both bids include all specifications listed except the suspension which was specified. It was the intention of the Public Works Department to have the shorter bed pickup to use, because it will be a more versatile pickup. It would be the preference of the Public Works Department to take the lighter duty, short bed pickup.

Mayor Dafoe asked if a bid was received from the other automobile dealer in town. Public Works Director Forster advised the Council that he had contacted Sahara Motors, who said that the bid had been prepared and was mailed. The dealer later called back and said that the bid was still on his desk and had not been mailed. The advertising and request for bids specifically called for a bid closing at 3:00 p.m. so it was felt that the other bid could not be accepted at 3:20 p.m.

Council Member Dale Roper asked what the gross vehicle weight would be on the light duty, short bed pickup. Public Works Director Forster told the Council that the weight is 7,200 lbs. and will handle the heavy duty bumper and crane which is proposed to be added to the pickup.

Mayor Dafoe clarified that \$22,000 was budgeted in the Sewer Department for purchase of this vehicle.

Following discussion, Council Member Gayle Bunker MOVED to accept the bid of \$21,371.28 for a 1998 light duty, short bed, $\frac{3}{4}$ ton Chevrolet pickup from Droubay Chevrolet. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there

were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: BID AWARD - 4 WHEEL ATV FOR PUBLIC WORKS DEPARTMENT

Mayor Dafoe stated that the funding for the new 4-Wheel All Terrain Vehicle for the Public Works Department is going to be funded 50% from the Parks Department and 50% from the Street Department. Public Works Director Neil Forster advised the Council that bids have been received from South Valley Motor Sports and from Delta Sports Center. The bid from South Valley Motor Sports was \$6,574.50 and the bid from Delta Sports Center was \$6,524.95. The apparent low bidder is Delta Sports Center and Public Works Director Forster recommended to the Council that the bid of Delta Sports be accepted.

Mayor Dafoe noted that \$6,000 had been budgeted for the All Terrain Vehicle and snow plow; however, the additional amount can be moved from another line item within the department without going through the public hearing process. Mayor Dafoe recommended to the Council that the additional \$524.95 will be moved from the line item for construction materials and supplies in the Streets Department into the line item for purchase of the ATV.

Following discussion, Council Member Dale Roper MOVED to accept the low bid of \$6,524.95, received from Delta Sports Center, for a 4-wheel All Terrain Vehicle and to transfer the additional \$524.95 within the Streets Department to fund the purchase. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: SET PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING PROPOSED LOVELL-TURNER ANNEXATION

Mayor Dafoe advised the Council that a public hearing needs to be set in order to receive public comment regarding the proposed Lovell-Turner Annexation. We have received a Petition for Annexation, the Petition has been accepted by the City Council and has been certified by the City Recorder and County Recorder. We are currently in the 40 day period during which protests to the proposed annexation can be filed. City Attorney Richard Waddingham has recommended that the City Council set the public hearing for Monday, December 8, 1997. Mayor Dafoe recommended that the Council schedule the public hearing for Monday, December 8, 1997 at 6:30 p.m.

Following discussion, Council Member Dale Roper MOVED to set a public hearing on December 8, 1997 at 6:30 p.m. for the purpose of receiving public comment regarding the proposed Lovell-Turner Annexation of property located at approximately 430 South 500 West. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE AMENDING
DELTA CITY ZONING ORDINANCE TO PROVIDE FOR SEXUALLY ORIENTED
BUSINESSES TO BE CONDITIONAL USE IN INDUSTRIAL DEVELOPMENT ZONE

In the absence of City Attorney Richard Waddingham, Mayor Dafoe distributed copies of a proposed Ordinance which had been prepared by City Attorney Waddingham.

ORDINANCE NO. 97-

AN ORDINANCE OF THE CITY OF DELTA, UTAH AMENDING APPENDIX 6 TO THE LIGHT INDUSTRIAL ZONE MAKING IT A CONDITIONAL USE TO OPERATE SEXUALLY ORIENTED BUSINESSES (AS ESTABLISHED UNDER DELTA CITY ORDINANCE NO. 97-184) WITHIN THE LIGHT INDUSTRIAL ZONE I-1 AND TO INCORPORATE CERTAIN QUALIFYING REGULATIONS AND SPECIAL CONDITIONS IN FURTHERANCE THEREOF.

Kurt Crosby asked what area of Delta is being zoned for sexually oriented businesses. Mayor Dafoe answered that the area where the businesses could locate would be on the West side of Delta at approximately 1000 West 200 North.

Public Works Director Neil Forster, who is also the Delta City Zoning Officer, requested clarification of the wording of the proposed ordinance, specifically what zone the proposed ordinance set forth. Mayor Dafoe answered that the proposed ordinance sets forth the zone as Light Industrial (I-1). Public Works Director/Zoning Officer Forster noted that the zone should be Industrial Development (I-D), not Light Industrial (L-I) and advised the Council that it is the intent of both the Planning & Zoning Commission and the Council, from discussion in previous meetings, that the sexually oriented businesses be located in the Industrial Development (I-D) zone.

Following discussion, Council Member Gayle Bunker MOVED to table discussion on this proposed ordinance amending the zoning ordinance until it can be corrected by City Attorney Waddingham. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Dafoe reminded everyone that this weekend, November 29th, is the Christmas Light Parade and celebration at the County Fair Building.


City Recorder Dorothy Jeffery reminded the Council of the City Christmas Party on December 5th at 7:00 p.m. The party will be held at the Old Stone Chapel.

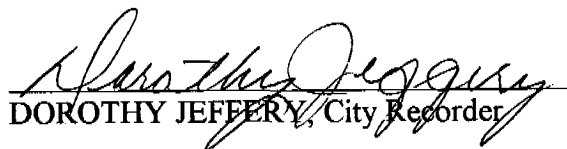
Kurt Crosby asked what the City Christmas Light Parade and celebration and the City Christmas Party cost last year. Mayor Dafoe answered that the City has budgeted \$5,500 for the Light Parade and celebration, which includes bags of candy for Santa Claus to give to each of the children in attendance and donuts and cider for everyone attending the entertainment at the County Fair Building. Mayor Dafoe noted that a large share of the cost is for the bags of candy to be given out by Santa. Mr. Crosby asked what it costs the City to light the Christmas Decorations on Main Street. Mayor Dafoe responded that Delta City purchases the decorations and puts them up each year, then Utah Power & Light donates the power to light them. Mayor Dafoe added that a Light Parade poster contest is sponsored for art students at Delta High School and monetary prizes are given to the winners, which is a part of the cost of the Light Parade and celebration.

Kurt Crosby asked several questions regarding items listed on the accounts payable which had been approved earlier in the meeting and regarding the various bond payments made by the City. Mr. Crosby also asked if he could be put on the agenda for the December 8, 1997 City Council meeting to discuss videos and books on tape in the Delta City Library.

Mayor Dafoe asked if there were any other comments, questions, or other items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe declared the meeting adjourned at 8:05 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 12-08-97